

PATENT COOPERATION TREATY

**From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

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14. März 2005

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Date of mailing
(day/month/year)

11-03-2005

**WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY**

(PCT Rule 66)

| | | |
|---|---|---|
| WV: / LF: | Date of mailing (day/month/year) | 11-03-2005 |
| Applicant's or agent's file reference 51452 | REPLY DUE | within 60 days from TU 8.5.05 the above date of mailing |
| International application No. PCT/IB2003/001213 | International filing date (day/month/year) 03-04-2003 | Priority date (day/month/year) - |
| International Patent Classification (IPC) or both national classification and IPC H04Q 7/32, G01S 13/76 | | |
| Applicant Nokia Corporation et al | | |

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| Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. 46 8 667 72 88 | Authorized officer Peter Hedman/MN Telephone No. 46 8 782 25 00 |
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**WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY**

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|---|
| International application No. PCT/IB2003/001213 |
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Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- international search (under Rules 12.3 and 23.1(b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."*):

the international application as originally filed/furnished

the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

4. This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

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International application No.

PCT/IB2003/001213

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|--------|-------------|
| Novelty (N) | Claims | <u>1-22</u> |
| | Claims | _____ |
| Inventive step (IS) | Claims | _____ |
| | Claims | <u>1-22</u> |
| Industrial applicability (IA) | Claims | <u>1-22</u> |
| | Claims | _____ |

2. Citations and explanations:

The invention concerns a device, network, method and system for mediating networked services and solves the problem of establishing one or more services between a portable device and one or more service providers.

Cited documents

D1 GB 2 375 265 A
D2 WO 03/007623 A2
D3 US 2002/139859 A1

Document D1 is considered to represent the closest prior art. D1 describes a gateway, a method and a system for connecting a mobile telephone unit to a service provider, providing a selected service to the subscriber of the mobile telephone unit. A gateway, comprising a receiver receives a message comprising a code specific to the requested service and a code identifying the user. From the retrieved information, the gateway can mediate networked services, by way of using an order generator. (See page 2, line 5-line 12; page 4, line 20-line 27; claims 1,2,7,8).

D2 describes how information is retrieved by an RFID reader from a RFID tag and sent further to a point of sales device for evaluation of a transaction request (See abstract; page 2, line 19-page 4, line 27; page 6, line 15-line 17, line 7, line 23-page 8, line 3).

From D3 a procedure for purchasing is known, wherein information from an RFID tag is retrieved via a portable reader, such as a cellular phone. In an interaction process involving a personal database, also personal profile information may be considered (See abstract; paragraph [0017] ; [0066] ; [0132]-[0133]; [0162]).

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V(II)

The invention according to claim 1 differs from the device in D1 in that D1 fails to suggest that an identification sequence is received from a radio frequency identification tag.

Due to these features, a simple and reliable way of retrieving identification information is achieved.

Consequently, with the background of D1, the problem is to introduce an alternative way of delivering identification information from a portable device to a receiving device. The utilisation of radio frequency identification tags (RFID tags) is commonly known to the person skilled in the art (See for example D2 or D3). In D1 the telephone handset may be equipped with a scanning pen or an RF transponder to be used for retrieving information to be sent to the mediating node. With this in mind it is considered obvious to the person skilled in the art to utilise the commonly known RFID technology in the solution presented in D1 in accordance with what is proposed in claim 1 of the claimed invention. It is also considered obvious to develop a portable terminal adapted for such a procedure, as suggested in claims 6, 9, 10, 15 and 18. For this reason the device suggested in any of these claims is novel and have industrial applicability, but fails to involve an inventive step.

Since it is commonly known to the person skilled in the art that solutions such as the one suggested in any of claims 10-18 are implemented as software, also claims 19-22 describe a tool, product or signal, respectively, which all are novel and have industrial applicability but fail to involve an inventive step.

The message sent to the gateway described in D1 comprise subscriber related information as well as service related information. This information is interpreted in the gateway before an appropriate connection is set up. It is considered obvious to the person skilled in the art to develop this interpretation process to also include some kind of subscription dependent comparison, wherein a comparison to various commonly known, stored subscription information is being done. A process wherein personal information is used is for example known from D3 (See paragraph [0066]). Claims 2-4 and 11-13 fail to involve an inventive step.

Claims 5, 7-8, 14 and 17 only suggest commonly known alternative ways of setting up a connection between two

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: **Box V(III)**

entities, via an intermediate entity, which fails to reveal any unexpected technical effect. Therefore, also these claims fail to involve an inventive step.

Considering what is already known from D1, the way of setting up a service request message, as suggested in claim 16 only describe an alternative solution which is considered obvious to a person skilled in the art. Claim 16 therefore fails to involve an inventive step.

To sum up, the invention as claimed in claim 1-22 is industrially applicable and novel, but fail to involve an inventive step.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claim 9 ends with an end. Consequently, a part/parts of the description of the network serving device of the presented system is missing.